

Massachusetts Water Resources Commission

Meeting Minutes for October 9, 1997

Commission Members in Attendance:

Mark P. Smith	Designee, Secretary of Environmental Affairs
Lee Corte-Real	Designee, Department of Food and Agriculture
Mark Tisa	Designee, Department of Fisheries, Wildlife and Environmental Law Enforcement
Peter Webber	Commissioner, Department of Environmental Management
Marilyn Contreas	Designee, Department of Housing and Community Development
Joseph McGinn	Designee, Metropolitan District Commission
Arleen O'Donnell	Designee, Department of Environmental Protection
Francis J. Veale, Jr.	Public Member

Others in Attendance:

Mike Gildesgame	DEM
Richard Thibedeau	DEM
Steve Asen	DEM
Paul Wohler	Plymouth DPW Water Division
Richard Johnson	Amory Engineers, Duxbury, MA
Ellen Gugel	EOEA
Gretchen Roorbach	MWRA
Michele Drury	DEM
John F. Donovan	Camp Dresser & McKee Inc.
Peter Gagnon	MDPH
Michele Cobban Barden	Neponset River Watershed Association
Ian Cooke	Neponset River Watershed Association
Andrew Miller	Camp Dresser & McKee Inc.
Ernest T. Williams	Town of Canton DPW
Anthony J. Zuen	SEA Consultants, Inc.
Paul C. Millett	SEA Consultants, Inc.
Karen Pelto	DFWELE/Riverways
Steve Barrett	MCZM
Jeff Hanson	Bluestone Energy
Philip Farrington	Town of Stoughton
James Miller	Town of Stoughton
John Reinhardt	DEP, Bureau of Waste Prevention

Agenda Item #1: Executive Director's Report

Springfield/Ludlow: Mark P. Smith reported that he and WRC staff conducted a "fact finding" visit to Springfield regarding the transfer of water from Springfield to Ludlow. Ludlow has been receiving its water from Springfield under an emergency declaration since 1994. Smith will send a letter to Springfield requesting more information after which the staff will make a final determination about whether the Interbasin Transfer Act applies. Springfield has been told in the

past that the Act will apply. Springfield has been informed that if it does not agree with the staff determination that it has the option to appear before the WRC for a formal Request for Determination of Applicability.

Water Quantity Policy Retreat: Smith discussed the idea that staff have been working on regarding a one day brainstorming retreat to define the issues relating to instream flow policy, drought preparedness, stressed basins, and water conservation and to identify an approach to each. The target date is early November.

Agenda Item #2: Adoption of the Minutes of September 11, 1997 meeting

Joe McGinn moved that the minutes be adopted as presented. The motion was seconded and passed unanimously.

Agenda Item #3: Presentation: Update of Plymouth's Water needs forecast

Steve Asen, DEM/Office of Water Resources
Paul Wohler, Plymouth DPW Water Division
Richard Johnson, Amory Engineers, Duxbury, MA

The Town of Plymouth is applying for acceptance of its new Water Use Forecasts to the Commission. This month, a review of Plymouth's proposed needs forecast, including water conservation measures, was presented for information only, with a vote to be taken next month on acceptance of the new Water Use Forecasts.

Plymouth reported that metering of the town will be complete by June 30, 1998 and that water conservation kits are distributed to all eighth graders. Plymouth's full range of conservation measures are included in the handout.

Agenda Item #4: Vote: Completeness of Interbasin Transfer application by the Town of Canton for well #9

Michele Drury, DEM/Office of Water Resources
Ernest T. William, Town of Canton

The Town of Canton has applied for an Interbasin Transfer Act review for its proposed well #9. This is an interbasin transfer because it will supply 1 mgd or more from a source in the Neponset watershed while the town is 72 percent sewered to MWRA. Drury explained that all agencies (DMF, DFW, DEM, DEP, Riverways) have stated that the information in the application is sufficient to begin a technical and environmental review of the application.

When the WRC accepts the application as complete, the "time clock" for the next stage of the process begins. From the time of acceptance, public hearings must be held within 60 days (late November, early December time frame). After public hearings are complete, a decision must be rendered within 60 days.

The acceptance of the application as complete does not preclude new information from being

requested or introduced; public hearings are intended as part of the information gathering process.

Joe McGinn made a motion, seconded by Mark Tisa, to accept Canton's application as complete.

Discussion:

- Well #9 is a new source and is intended to reduce dependence on MWRA water.
- MWRA's policy is to ask partially supplied municipalities to develop alternate sources if feasible, permittable, and economical (defined as costing less than or equal to 2.5 times MWRA water cost including capital costs amortized over 20 years).
- A wetland impact study was done by ACOE for a section 404 permit, but it only addressed the impact of withdrawals on the wetlands, not the stream.
- An ENF was submitted in 1994.
- What is a reasonable instream flow? Is it wise to focus on the number .15 cfs here?
- There was a Section 22 study of the temperatures of the East Branch recently completed that found temperatures of 90°F.
- Ian Cooke of Neponset River Watershed Association expressed concern that the potential of in-basin wastewater disposal alternatives has been insufficiently addressed to date.

The motion passed unanimously by all present.

Agenda Item #5a: Presentation: Interbasin transfer status for Stoughton's Cedar Swamp well project, staff recommendation

Michele Drury, DEM/Office of Water Resources

Stoughton is trying to develop new water supplies. The town proposes a three-well wellfield in Cedar Swamp, a sub-basin of the Taunton River (Queset Brook). Because Stoughton is 70 percent sewered to MWRA, this would be an interbasin transfer. The capacity of the well field, .59 mgd, would in most cases make it eligible to be reviewed under a Determination of Insignificance. However, because the sub-basin is stressed (Taunton River Basin Plan of 1991), staff are asking the Commission for guidance on the level of review to require for the Stoughton application. The staff recommends a full review.

Stoughton wants a ruling from the WRC to provide guidance to the Water Management Act regulators and/or to limit the scope of review.

Stoughton's water situation: Stoughton has only seven wells, but little additional growth is anticipated. Stoughton has been an emergency supply community every year for the last ten years (.5 mgd) with a connection to MWRA through Canton. Stoughton has aggressive conservation programs and one of the lowest per capita consumption rates in the state. They have full metering (however, they are not able to separate residential use from non-residential use), seasonal restrictions, and only 9 percent unaccounted for water. However, reporting is weak. Other supply options include cooperating with Canton or a bedrock well. All, however, involve interbasin transfers. Stoughton intends to develop all its alternatives, but does not have a water supply master plan yet.

Discussion:

·Drury explained that the WRC has a precedent for requiring full review of a transfer of under 1 mgd with Pinebrook.

·Apparently, there are only two levels of review possible under the Interbasin Transfer Act: full review or a review for a Determination of Insignificance, which is a more streamlined review, but there is no intermediate review possible.

Agenda Item #5b: Presentation: Interbasin transfer status for Bluestone desalinization project, staff recommendation

Michele Drury, DEM/Office of Water Resources

Staff has requested additional information (see memo) from the Bluestone Project for evaluation under the Interbasin Transfer Act. The information needed is identical to that required by the FEIR, so staff is anticipating using the FEIR as a vehicle for getting the necessary information for the Interbasin Transfer application. The Bluestone FEIR will be completed at the end of this year at the earliest. Technical review of the Interbasin Transfer Application can start at any time, once the information has been accepted by the WRC as complete, though public hearings cannot begin until the Secretary signs the final MEPA certificate. The current date for Brockton to make a decision on a long-term alternative is November 9, but an extension until the end of the year is expected. Meanwhile, Bluestone is asking for a decision before it gets to the WRC.

Because there are important coastal issues involved with this project, CZM was added to the list of reviewing agencies for this Interbasin Transfer Application.

The withdrawal rate currently being used by Bluestone is 5 mgd which includes 2.5 mgd for Brockton. This is contingent on Brockton choosing Bluestone for water supply. Drury is hoping that the MEPA EIRs have all the information for Brockton to make a decision between the two projects (Bluestone vs. Taunton River). She reports that the Brockton Water Commission is working on evaluation of the two options. The question arose: does the Commission need to hear from Brockton first?

Staff will prepare a summary of the timing and decisions anticipated regarding the Bluestone project with respect to MEPA, the Interbasin Transfer application, and Brockton for WRC members so they know what to expect.

Agenda Item #6: Vote: DEP Environmental Results program seeking approval to expand the definition of printers under 314 CMR 7.00

John Reinhardt, DEP/Bureau of Waste Prevention

Currently, the regulated printers sector includes lithographers only and no other type of printer. Most print shops are mixed operations, and the new proposed definition will include screened, flexographic, and other printer types as well. It expands the universe of printers that come under regulatory authority, but standards have not changed. The printers are in the process of a roll-out. Regulations are not finalized. The public hearings and comment period ended Monday, October 6. There were only four comments and there was nothing substantive.

The reason the WRC is involved is because the summary of standards discusses wastewater discharges which require the WRC's approval.

Francis J. Veale, Jr. moved and Peter Webber seconded that the WRC accept the proposed expanded definition of printers. The motion passed unanimously.

Motion to Adjourn

Lee Corte-Real made a motion to adjourn which was seconded and passed unanimously.

Meeting minutes approved 11/13/97